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June 12, 2023

The Honorable Victor Marrero
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Re: National Coalition on Black Civic Participation et al. v. Wohl et al., No. 20-cv-8668

Dear Judge Marrero:

There isn't one item that has been disclosed to defendants that defendants did not know about. The idea that somehow Plaintiffs would be prejudiced by your decision is absolutely absurd. My client, Jacob Wohl, will be on trial in a criminal case in California. The Government, along with all the private law firms involved with this case and coupled with all of their unlimited resources in their quest for justice over a robocall, cannot possibly be prejudiced by a simple decision to adjourn the case to the fall. We are ready, willing, and able to discuss new trial dates in the fall as ordered by your honor. The defense already had access to and complete knowledge of the witnesses the plaintiffs were calling in this case. We have their depositions. We have complete knowledge of the documents they are relying on and the theories of their case as outlined in the extensive litigation and lengthy documents paid for by the People of the State of New York.

There is absolutely no prejudice by granting a simple adjournment in order for Mr. Wohl to have the opportunity and right to be present at his own trial.

We respectfully request that your order stand and that the parties convene to find a date in the fall of 2023.

Respectfully,



David M Schwartz, Esq. LLM